

Serial No.: 10/733,191  
Docket No. A0663A

Examiner: V. Miska  
Art Unit: 2841

### REMARKS

Claims 1-20 are currently pending in this application. Claims 1 and 12 have been amended and new claims 19-20 have been added. Reconsideration of the application in view of the amendments made above and remarks to follow are respectfully requested.

Claims 1 and 12 have been amended to more clearly define the invention over the prior art. In particular, claims 1 and 12 have been amended to recite that "at least substantially (i.e. if not all) the same digits are used for both the date display mode and the counting mode." Support for this amendment can be found in the specification, for example at page 7, lines 10-25 and in the figures. New claims 19-20 have been added to particularly distinguish a counting mode from a *timer* mode. Support for this latter feature can be found in the specification, for example at page 7, lines 15-25. Thus, no new matter is believed to have been added by virtue of these amendments.

Claims 1-18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Jeannet et al. (5,668,781). The Examiner asserts that the timepiece is operable in a date display mode for displaying digits 1-31 or in a counting mode for displaying digits MON-FRI. Although Applicants respectfully disagree with this broad characterization of the cited document, as it is respectfully submitted that use of the MON-FRI does not constitute the claimed counting mode as the display of the days of the week is simply another means of displaying the date, in the interest of furthering prosecution, Applicants have amended independent claims 1 and 12 to affirmatively recite that "*at least substantially the same digits are used for both the date display mode and the counting mode.*"

Applicants respectfully submit that Jeannet et al. do not describe or suggest that substantially the same digits can be used for both the date display mode and the counting mode. In fact, as pointed out by the Examiner, Jeannet uses digits 1-31 for the date display mode and digits MON-FRI to meet the claimed "counting" mode. Thus, even if

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the MON-FRI were a counting mode (which Applicants respectfully maintain is not the case), the claims as now amended are patentably distinguishable therefrom.

Moreover, Applicants respectfully submit that claims 8 and 15 are also not described or suggested by Jeannet et al. As specifically recited in claim 8, the rate that the ring rotates in the counting mode (e.g., second rate) is at least essentially  $(360/31)^\circ$  of rotation essentially every minute. This feature is neither described nor suggested by Jeannet et al., nor would it be, because Jeannet et al. only discloses displaying a day of the week that a particular date falls on. Thus, in Jeannet et al., the rate of rotation in both the counting mode and the date display mode are the same, since it would only rotate to the next day of the week when the date itself changes to the next day.

New independent claim 19 has been added to recite the feature that the timepiece is operable in a date display mode and a timer mode. Applicants respectfully submit that Jeannet et al. do not describe or suggest that the timepiece of their invention comprises a timer mode, as it is clear that the timepiece of Jeannet et al. only displays dates (1-31) or days of the week (MON-FRI). Thus the digits described in Jeannet et al. are not usable in a timer mode as described and claimed by Applicants.

For all of these reasons, Applicants believe that claims 1-20 are allowable over the prior art of record. Therefore, reconsideration and withdrawal of the rejection of claims 1-18 as being unpatentable in view of Jeannet et al. is respectfully requested.

### CONCLUSION

Applicants believe that the foregoing is a full and complete response to the Office Action of record. Accordingly, an early and favorable reconsideration of the rejection of all of the claims is requested. Applicants believe that claims 1-20 are now in condition for allowance and an indication of allowability and an early Notice of Allowance of all of the claims is respectfully requested.


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If Examiner feels that a telephonic interview would be helpful, he is requested to call the undersigned at (203) 575-2629 prior to the issuance of the next office action.

Respectfully submitted,

  
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